

**NOTIFICATION OF RIGHTS UNDER THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (eligible students) certain rights with respect to the students' education records. They are:

1. The right to inspect and review the student's educational records within 45 days of the day the Flandreau School District receives a request for access. Parents or eligible students should submit to the building principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of student's education records that the parent or eligible student believes are inaccurate or misleading.

The parents or eligible students may ask the Flandreau School District to amend a record that they believe is inaccurate or misleading. They should write the building principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the Flandreau School District decides not to amend the record as requested by the parent or eligible student, the Flandreau School District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the Flandreau School District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement personnel); a person serving on the Flandreau School Board; a person or company with whom the school district has contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities. Upon request, the Flandreau School District discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Flandreau School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

**Family Policy Compliance Office**  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, DC. 20202-4605

**Directory Information:**

The Flandreau School District may disclose information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed, such as the student's name, student's parent's name, student's address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance,

degrees and awards received, student photograph and the most recent previous educational agency or institution attended.

A copy of these policies and regulations may be obtained in the superintendent's office of the Flandreau School District. Complaints regarding violation or rights accorded parents and students should be submitted to the Superintendent of Schools of the Flandreau School District or the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, DC. 20202-4605

## STATEMENT OF RIGHTS

Parents and eligible students have the following rights under the Family Educational Rights and Privacy Act and this policy:

1. The right to inspect and review the student's education record.
2. The right to exercise a limited control over other people's access to the educational record.
3. The right to seek to correct the student's education record in a hearing, if necessary.
4. The right to report violations of the FERPA to the Department of Health, Education, and Welfare.
5. The right to be informed about the FERPA rights.

All rights and protection given parents under the FERPA and this policy transfer to the student when he or she reaches age 18 or enrolls in a post-secondary school. The student then becomes an "eligible student."

The district will arrange to provide translations of this notice to non-English speaking parents in their native language.

## DIRECTORY INFORMATION

The Flandreau School District #50-3 proposes to designate the following personally identifiable information contained in a student's education record as "directory information," and it will disclose that information without prior written consent.

1. The student's name.
2. The names of the student's parents.
3. The student's address.
4. The student's date and place of birth.
5. The student's class designation (i.e. 1st grade, 10th grade, etc.).
6. The student's extra-curricular participation.
7. The student's achievement awards or honors.
8. The student's telephone listing.
9. The student's dates of attendance.
10. The student's weight and height if a member of an athletic team.
11. The student's photograph.
12. The school or school district the student attended before he or she enrolled in the Flandreau School District #50-3.

Within the first three weeks of each school year, the Flandreau School District will publish in the official newspaper the above list, or a revised list, of the items of directory information it proposes to designate as directory information. For students enrolling after the notice is published, the list will be given to the student's parents or the eligible student at the time and place of enrollment.

After the parents or eligible students have been notified, they will have two weeks to advise the school district in writing (a letter to the Superintendent's office) of any or all of the items they refuse to permit the district to designate as directory information about that student.

At the end of the two-week period, each student's records will be appropriately marked by the records custodians to indicate the items the district will designate as directory information about that student. This designation will remain in effect until it is modified by the written direction of the student's parents or the eligible student.